

REMARKS

In the Office Action mailed September 28, 2007 the Office noted that claims 1-16 were pending and rejected claims 1-16. Claims 1 and 5-15 have been amended, no claims have been canceled, and, thus, in view of the foregoing claims 1-16 remain pending for reconsideration which is requested. No new matter has been added. The Office's rejections are traversed below.

SPECIFICATION

The Applicants have amended the specification to include an omitted word.

REJECTIONS under 35 U.S.C. § 103

Claims 1-10 and 12-16 stand rejected under 35 U.S.C. § 103(a) as being obvious over Honda, EP 0299415, in view of Tsukimoto EP 0538791. The Applicants respectfully disagree and traverse the rejection with an argument and amendment.

On page 3 of the Office Action, it is asserted that Honda, col. 7, lines 9-11, discloses "stator comprising two electroactive components stacked in said principal direction and adapted to provide bending excitation, surrounded by two counter-weights, wherein said stator has geometric dissymmetry," as in amended claim 1.

However, Honda only discusses that the metal blocks may be same or different to each other. This does not disclose a

resonance dissymmetry. The blocks can be different while the resonance would remain symmetrical, (e.g. if both blocks exhibit a revolution symmetry.)

By contrast, in the embodiments described in the application, the blocks (counterweights), although individually dissymmetrical, are preferably identical to each other (page 6 line 19). This emphasizes that the dissymmetry feature of the present claims is not anticipated by a prior art merely by mentioning the possibility that the counterweights could be different from each other. Thus, Honda is non-enabling as to a resonance dissymmetry. The Office has not asserted and the Applicant has not found that Tsukimoto discloses such a feature.

To further emphasize this feature, claim 1 has been amended to recite "*said stator comprising two electroactive components stacked in said principal direction and adapted to provide bending excitation, surrounded by two counter-weights, wherein said stator has geometric dissymmetry in order to create resonance dissymmetry and wherein at least one of said bending excitation and resonance dissymmetry is angularly shifted from one side to the other of an interface between said electroactive components.*" Support for the amendment found, for example, at page 6, line 13 through page 7, line 22. The Applicants submit that no new matter has been added by the amendment of claim 1.

Tsukimoto discusses a piezoelectric motor using a two-phase power supply, see Tsukimoto figure 3. However, Tsukimoto

Figure 3 illustrates a prior art power supply as Tsukimot discusses reducing the influence of machining errors and like inaccuracies in such machines (see end of col. 2). Tsukimoto relates to the materials used and the shape of the elements, not to the power supply (col.3, lines 14-28).

Claim 14 has been amended in a manner similar to that of claim 1. For at least the reasons stated above, Honda and Tsukimoto, taken separately or in combination, fail to render obvious claims 1 and 14 and the claims dependent therefrom.

#### SUMMARY

It is submitted that the claims satisfy the requirements of 35 U.S.C. § 103. It is also submitted that claims 1-16 continue to be allowable. It is further submitted that the claims are not taught, disclosed or suggested by the prior art. The claims are therefore in a condition suitable for allowance. An early Notice of Allowance is requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

YOUNG & THOMPSON

/James J. Livingston, Jr./

James J. Livingston, Jr.  
Reg. No. 55,394  
209 Madison St, Suite 500  
Alexandria, VA 22314  
Telephone (703) 521-2297  
Telefax (703) 685-0573  
(703) 979-4709

JJL/snt